



*Office of the United States Attorney
District of Arizona*

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NORTHERN ARIZONA MAN INDICTED IN SHOOTING OF U.S. MARSHAL

PHOENIX - A federal grand jury in Phoenix has returned a 13-count indictment against Joshua Wayne Trotter, 24, of northern Ariz., for Assaulting, Resisting and Impeding Federal Officers, Use of a Firearm During and in Relation to a Crime of Violence and Unlawful Possession of a Firearm. During an attempt to arrest Trotter on June 3, 2005, a Deputy U.S. Marshal was injured as a result of shots fired by Trotter with a 9mm handgun.

U.S. Attorney Paul K. Charlton stated that "Federal officers put their lives on the line every day to protect our communities from dangerous individuals. We are all very pleased that the officer escaped serious injury and that the defendant is being brought to justice."

U.S. Marshal David P. Gonzales stated that "Any attack on a law enforcement officer has a detrimental effect on society that goes far beyond the act itself. An attack on a police officer is an attack on society. We hope that this indictment sends a strong message that anyone who attempts to assault or kill an officer can look forward to spending time behind bars."

The indictment alleges that on June 3, 2005, Deputy U.S. Marshals attempted to arrest Trotter on a federal warrant for a probation violation. During the attempt to stop Trotter's vehicle, Trotter collided with a U.S. Marshal's vehicle occupied by Deputy U.S. Marshal Robert Morris and Maricopa County Probation Officer William Harkins causing significant damage. Trotter subsequently crashed his vehicle into a light pole and opened fire on the Marshals with a 9mm handgun. One of the bullets struck another federal agent, Deputy U.S. Marshal Dennis Harkins, in the hand. Trotter has been in federal custody since the shooting. He is a prohibited possessor of firearms due to his prior felony conviction.

A conviction for Assaulting, Resisting and Impeding Federal Officers carries a maximum penalty of 20 years in prison, a \$250,000 fine, or both. A conviction for Use of a Firearm During and in Relation to a Crime of Violence carries a consecutive penalty of 10 years in prison on the first count and 25 years on each subsequent count, a \$250,000 fine, or both. A conviction for Unlawful Possession of a Firearm carries a maximum penalty of 10 years in prison, a \$250,000 fine, or both. In determining an actual sentence, the District Court Judge will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

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An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by the Gilbert Police Department. The prosecution is being handled by David A. Pimsner, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-05-1135-PHX
RELEASE NUMBER: 2005-191

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